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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JAN 04 2017

VIA UPS

Mr. Brian James
General Manager
ArcelorMittal Weirton
100 Pennsylvania Avenue
Weirton, WV 26062-4950

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by ArcelorMittal Weirton
EPA ID No. WVD000068908
Info. Request Letter Reference No. C17-007

Dear Mr. James:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the information obtained by EPA during the inspection of ArcelorMittal Weirton located at 100 Pennsylvania Avenue, Weirton, WV 26062-4950 (the "Facility") on May 24-25, 2016. A copy of EPA's report for that inspection is enclosed. EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that ArcelorMittal Weirton furnish to EPA, within twenty (20) calendar days of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request herein, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question and letter of the subpart of the question (as applicable) to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by ArcelorMittal Weirton or in its custody, control, or possession, including in the possession, custody or control of any of its employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility. *Copies of all documents must be legible.*

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or its implementing regulations, 40 C.F.R. Parts 260-266, 268, and 273, shall have the meanings set forth therein.

Requested Information

1. Please review the highlighted lines on the copies of the enclosed Weekly Hazardous Waste Container Inspection Checklist log sheets which the Facility furnished to EPA during the compliance evaluation inspection on May 24-25, 2016. For each and every container present in the areas highlighted on the log sheets at the time that such log was completed, please provide the following information:
 - a. A description of the source of hazardous waste in the container.
 - b. The date(s) of generation of hazardous waste in the container.
 - c. State whether a "waste determination," as required by 40 C.F.R. § 262.11, and "LDR determination," as required by 40 C.F.R. § 268.7, have been made for the material in each such container.
 - d. If a "waste determination" and "LDR determination" has been made for the material in a container, state when such a determination(s) was made and the results of such determination(s).

- e. State the basis for any hazardous waste determination for such waste, including but not limited to: (1) the generator's knowledge of the process that generated the waste; (2) analytical results; (3) or some other mechanism. If a determination was made on the basis of process knowledge, describe the scientific rationale for making such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - f. If the material in such container has been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination, if applicable, and provide supporting documentation.
 - g. Please state whether the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site. If the material has been shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this waste.
2. With regard to the containers included in Sea Box #1 (Storage Area ID SAS-1) on the log sheets listed in Table A (attached), please review the columns listed below for that location and revise as necessary to resolve inconsistent and/or missing information by completing the final two columns of the table. Columns to be addressed are: (1) Column No. 7 (entitled "Is the waste accumulation start date noted on the container? 40 CFR 262.34[a][2]?"); (2) Column No. 8 (entitled "Has waste been stored for less than 90 days? 40 CFR 262.34[a]?"); and (3) Column No. 14 (entitled "Record the oldest start date of the container(s). If empty, note empty.") For any log sheets on which you revise information, provide a revised log sheet.
 3. To the extent that ArcelorMittal has developed any protocols, training or instructions for completing the Weekly Hazardous Waste Container Inspection Checklist log sheets, provide copies of same beginning January 1, 2011 through the present.
 4. Describe the corporate structure of ArcelorMittal Weirton, including: (1) its relationship to any and all parent companies, subsidiaries, and related corporations; (2) its ownership structure (*e.g.*, partnership, corporation, LLC, etc.); and (3) state and date of incorporation.

Response Requirements

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue

penalties for failure to comply with or to respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject ArcelorMittal Weirton to criminal penalties under 18 U.S.C. § 1001. The information that you provide may be used by EPA in administrative, civil or criminal proceedings.

The response to this information request must include the following signed and dated certification:

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

ArcelorMittal Weirton is entitled to assert a claim of business confidentiality covering any part or all of the information, in the manner described at 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to ArcelorMittal Weirton.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send your response to:

Eric J. Greenwood (3LC32)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

If you have any questions concerning this matter, please contact Mr. Greenwood at (215) 814-2057.

Sincerely,

A handwritten signature in cursive script that reads "Carol Amend".

Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Enclosures:

Inspection Report

Weekly Hazardous Waste Container Inspection Checklist log sheets

cc: Eric Greenwood (3LC32)
Pauline Belgiovane (3LC30)

